S.B. Criminal Misc. Bail Application No.3685/2006

Date : 11.09.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. R.K. Charan for the applicant.
Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits that in the instant case it is correct that Mahendra Sindhi has died and allegation against the applicant is that she was living with Mahendra Sindhi but the fact is that she is married with another person. He submits that there is no evidence of last seen and further so far as recovery aspect is concerned, there is nothing to connect the accused applicant with the crime as prosecution story itself shows that the she was living with the Mahendra Sindhi. He invited my attention to several pages of the charge-sheet showing recovery from different persons, thus recovery of knife etc. is attributed to other persons. In last, he prays that the accused applicant may be enlarged on bail as she being a

lady under the provisions of the Cr.P.C.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Smt. Leela Bai wife of Shyam Lal shall be released on bail in FIR No.37/2006 P.S. Dungla, District Chittorgarh, provided she executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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